

This record is a partial extract of the original cable. The full text of the original cable is not available.

UNCLAS SECTION 01 OF 02 TEGUCIGALPA 001541

SIPDIS

STATE PLEASE PASS TO USAID, ALSO FOR WHA AND WHA/CEN

E.O. 12958: N/A

TAGS: [PGOV](#) [PREL](#) [KDEM](#) [HO](#)

SUBJECT: Electoral Law Reform Adopted; 2005 Primary Elections Calendar Released

1. On June 21, the Supreme Electoral Tribunal (Tribunal Supremo Electoral TSE) - established for the purpose of directing the electoral process and internal elections - approved the calendar for the 2005 primary and internal elections in Honduras. According to the Calendar, starting August 20, 2004, political parties will have 102 days for the enrollment of candidates and primary election platforms for the 2005 popular election, with a deadline of November 30, 2004. Primary elections will take place on February 20, 2005. Positions for election include president, vice president, 128 representatives and alternates to the National Congress, and 298 mayoral municipalities. There will not be an election of representatives to the Central American parliament.

2. This election will be the first to carry out procedures put in place by the new Electoral Law, adopted in January 2004. After much discussion and debate in the National Congress, all 277 articles of the law were entered into effect on April 1, 2004. Conflict over the law arose in May when Liberals accused the Deputies of the Style Commission - in charge of making editorial corrections to the law, after it is approved in content - of making content changes. Some members of the National Congress told the Honduran press that the commission modified articles regarding the release of poll results. The approved version stated that poll results would NOT be permitted for publication 50 days prior to the primaries and 90 days before the general election. The modification stated reporting would be allowed during this period. The language change was caught and reverted before it went to the floor.

3. There are several important components to the Electoral Law. The new law limits campaigns to four months and a political candidate can run for one political position only. A political movement has to have two percent of valid voter signatures in order to register, otherwise it will be dissolved. A quota for no less than 30 percent participation of women officeholders was established. An office of Vice President was created and the current system of 3 presidential designates was eliminated. This change will make the VP more visible in the campaign. Honduran voters abroad will be able to vote, but only to elect President and Vice President in general elections.

4. Another reform established that all private campaign donations must be registered in the individual parties' accounting registers. Donations that surpass roughly USD 16,500 must separately be reported to the TSE and the funds deposited in banking institutions, which will then be at the disposal of the party authorities that manage the party's statutes or rules.

5. Proportional representation was abolished for primary elections and voters will now be able to vote directly for congressional candidates in their party's primary. Moreover, in the next elections, voters will select candidates based not only on their names but also on their photographs, a process without precedent in Honduras. Congressional seats will still be assigned by the total proportional vote each party receives. Those candidates who win the most votes will still be the first elected. However, there exists the possibility that a candidate from a small party could be elected with fewer votes than a lower ranking candidate in a major party. In party primaries, winners will be selected strictly in accordance with the number of votes they receive.

6. The new law prohibits political advertising until 50 days before the election. However, it seems that abuses are already being made on both sides. In June, the TSE suggested it would investigate the content of and source of funding for political messages in Tegucigalpa and San Pedro Sula, specifically looking at the campaigns of Porfirio Lobo Sosa, President of the Congress and presidential primary candidate in the National Party, as well as the mayor of Tegucigalpa Miguel Pastor, Liberals Jaime Rosenthal Liva, and Manuel Zelaya Rosales. Currently, the TSE has been calling a number of politicians running in a variety of capacities to alert them to their infringement upon the propaganda law.

7. Aside from ensuring that candidates obey the new campaign

laws, the TSE is also looking into an organized effort to falsify National Identity documents, especially at the National Registry of Persons (Registrario Nacional de Personas RNP). The RNP is setting up the procedural aspects for the emission of identification cards. The RNP began a bidding process for the company that would produce the cards, and finally settled on the IAFIS-SAGEM company that is a subsidiary of GBN (a subsidiary of IBM) - the company that was contracted for the last election and caused several problems (due mostly to technical problems, i.e. machines did not get adequate maintenance and people were not adequately trained). As a result, there are roughly 600 thousand ID cards that remain unaccounted for in the country (according to some, the number is over 1 million). This is especially problematic as the identification card is the only documentation necessary for voting. For this election, IAFIS-SAGEM will not only have to document new voters, but do something to solve the issue of the floating identification cards. However, the company is currently being audited and, during the transition process, employees have gone on strike leaving the identification process at a standstill.

PALMER